

**U.S. District Court [LIVE]
Eastern District of TEXAS (Sherman)
CRIMINAL DOCKET FOR CASE #: 4:04-cr-00106-MAC-DDB-8**

Case title: USA v. Robinson et al

Date Filed: 07/28/2004

Date Terminated: 01/06/2005

Assigned to: Judge Marcia A. Crone

Referred to: Magistrate Judge Don D. Bush

Appeals court case number: '05-40077' '5th
Circuit'

Defendant (8)

Tyrone Dremain Brown

TERMINATED: 01/06/2005

also known as

Tyrone Dremain Jimerson

represented by **Denise S Benson**

Federal Public Defender - Sherman

600 E Taylor

Suite 4000

Sherman, TX 75090

903/8924448

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TERMINATED: 02/16/2010

LEAD ATTORNEY

*Designation: Public Defender or
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Donald Lee Bailey

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TERMINATED: 09/21/2011

LEAD ATTORNEY

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George Patrick Black

Federal Public Defender

110 North College

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Tyler, TX 75702

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*LEAD ATTORNEY**Designation: Public Defender or
Community Defender Appointment***Pending Counts**CONSPIRACY TO POSSESS
NARCOTICS
(1)**Disposition**

120 months imprisonment

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition**Plaintiff**

USA

represented by **Tracey M Batson**
 U.S. Attorney's Office
 U S Dept of Justice
 101 E. Park Blvd.
 Suite 500
 Plano, TX 75074-6759
 972/509-1201 (main)
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/15/2004	<u>1</u>	INDICTMENT as to Rafael Dontae Robinson (1) count(s) 1, Corwin Dantrell Jeffrey (2) count(s) 1, Shannon Nettleton Hughes (3) count(s) 1, Marquis D'Andrea Duty (4) count(s) 1, Cornelius LaMont Sims (5) count(s) 1, Kedrian DeWayne Davis (6) count(s) 1, Tommy Ray Johnson (7) count(s) 1, 2, Tyrone Dremain Brown (8) count(s) 1, Curtis Jermaine Brown, III(9) count(s) 1, Dontae Romain Brown (10) count(s) 1, Brandon Eugene Cary (11) count(s) 1, Brandon Javon Robinson (12) count(s) 1, Kawana LaShae Sims (13) count(s) 1, Kenny LaVar Mason (14) count(s) 1, Taurus DeShaun Council (15) count(s) 1, Sealed #16 (16) count(s) 1, Rodrius Ramon Morgan(17) count(s) 1, Kay Letha Smith (18) count(s) 1, Corie DeWan

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		Brigham(19) count(s) 1, Earl Williams, Jr. (20) count(s) 1, Ocie Burnell McCuin Jr. (21) count(s) 1, Joseph Williams, Jr. (22) count(s) 1, Larry Boyd Mallory (23) count(s) 1, Kenneth Wayne Mallory (24) count(s) 1, Kimberly Ranell Bills (25) count(s) 1, Danny Ray Moten(26) count(s) 1, Kolleen LeShalle Norris (27) count(s) 1, 3, Christopher LaVon Lewis (28) count(s) 1, Sealed #29 (29) count(s) 1, Donald Lynn Moore (30) count(s) 1, Duford Lee Mitchell (31) count(s) 1, James George Motter (32) count(s) 1. (sjs,) Additional attachment(s) added on 2/18/2005 (pad,). Modified on 8/22/2005 (pad,). (Entered: 07/29/2004)
07/15/2004	9	Form AO 257 filed as to Tyrone Dremain Brown (sjs,) Additional attachment(s) added on 2/18/2005 (pad,). (Entered: 07/29/2004)
07/15/2004		Arrest Warrant Issued by Richard A. Schell as to Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Sealed #4, Cornelius LaMont Sims, Sealed #6, Tommy Ray Johnson, Tyrone Dremain Brown, Sealed #9, Dontae Romain Brown, Brandon Eugene Cary, Brandon Javon Robinson, Kawana LaShae Sims, Sealed #14, Taurus DeShaun Council, Sealed #16, Sealed #17, Kay Letha Smith, Sealed #19, Sealed #20, Sealed #21, Sealed #22, Larry Boyd Mallory, Kenneth Wayne Mallory, Kimberly Ranell Bills, Sealed #26, Sealed #27, Christopher LaVon Lewis, Sealed #29, Donald Lynn Moore, Duford Lee Mitchell, James George Motter. (sjs,) (Entered: 07/29/2004)
07/20/2004	38	Petition for Writ of Habeas Corpus ad Prosequendum as to Tyrone Dremain Brown (dlp,) (Entered: 07/29/2004)
07/20/2004	41	ORDER for Writ and Writ of Habeas Corpus ad Prosequendum as to Tyrone Dremain Brown . Signed by Judge Don D. Bush on 07/20/2004. (dlp,) (Entered: 07/29/2004)
07/20/2004		Arrest of Taurus DeShaun Council, Rafael Dontae Robinson, Kay Letha Smith, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Larry Boyd Mallory, Kenneth Wayne Mallory, Cornelius LaMont Sims, Tommy Ray Johnson, Tyrone Dremain Brown, Kimberly Ranell Bills, Dontae Romain Brown, Brandon Eugene Cary, Christopher LaVon Lewis, Brandon Javon Robinson, Kawana LaShae Sims, Donald Lynn Moore, Duford Lee Mitchell, James George Motter (dlp,) (Entered: 07/29/2004)
07/20/2004	47	Minute Entry for proceedings held before Judge Don D. Bush:Arraignment as to Taurus DeShaun Council (15) Count 1 and Kay Letha Smith (18) Count 1 and Corwin Dantrell Jeffrey (2) Count 1 and Shannon Nettleton Hughes (3) Count 1 and Larry Boyd Mallory (23) Count 1 and Kenneth Wayne Mallory (24) Count 1 and Cornelius LaMont Sims (5) Count 1 and Tommy Ray Johnson (7) Count 1,2 and Tyrone Dremain Brown (8) Count 1 and Kimberly Ranell Bills (25) Count 1 and Dontae Romain Brown (10) Count 1 and Brandon Eugene Cary (11) Count 1 and Christopher LaVon Lewis (28) Count 1 and Brandon Javon Robinson (12) Count 1 and Kawana LaShae Sims (13) Count 1 and Donald Lynn Moore (30) Count 1 and Duford Lee Mitchell (31) Count 1 and James George Motter (32) Count 1 held on 7/20/2004, Initial Appearance as to Taurus DeShaun Council, Kay Letha Smith, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Larry Boyd Mallory, Kenneth Wayne Mallory, Cornelius LaMont Sims, Tommy Ray Johnson, Tyrone Dremain Brown, Kimberly Ranell Bills, Dontae Romain Brown, Brandon Eugene Cary, Christopher LaVon Lewis, Brandon Javon Robinson, Kawana LaShae Sims, Donald Lynn Moore, Duford Lee Mitchell, James George Motter held on 7/20/2004. Each Defendant was sworn and advised of the charges and maximum penalties. Each Defendant requested court

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		appointed counsel and was sworn and examined, re: financial status. The Court finds the Defendants are unable to employ counsel and appointed an attorney for each Defendant. Each Defendant was then arraigned and pled not guilty to charges. Government filed motion for detention on each Defendant except for Kawana LaShae Sims (13) and Kimberly Ranell Bills (25) who signed Order Setting Conditions of Release and were released after processing by the U.S. Marshal. Detention hearings on all other Defendants were scheduled for 07/22/2004 and 07/23/2004, and 07/26/2004. Defendants were remanded to the custody of the U.S. Marshal. Court Reporter Ecro: D. Patterson.) (dlp,) (Entered: 07/29/2004)
07/20/2004	52	CJA 20 as to Tyrone Dremain Brown: Appointment of Attorney Donald Lee Bailey for Tyrone Dremain Brown . Signed by Judge Don D. Bush on 07/20/2004. (dlp,) Additional attachment(s) added on 2/18/2005 (pad,). (Entered: 07/30/2004)
07/20/2004	77	CJA 23 Financial Affidavit by Tyrone Dremain Brown (dlp,) (Entered: 07/30/2004)
07/20/2004	78	MOTION for Detention by USA as to Tyrone Dremain Brown. (dlp,) (Entered: 07/30/2004)
07/20/2004	103	ORDER - PRETRIAL DISCOVERY & INSPECTION as to Taurus DeShaun Council, Rafael Dontae Robinson, Kay Letha Smith, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Larry Boyd Mallory, Kenneth Wayne Mallory, Cornelius LaMont Sims, Tommy Ray Johnson, Tyrone Dremain Brown, Kimberly Ranell Bills, Dontae Romain Brown, Brandon Eugene Cary, Christopher LaVon Lewis, Brandon Javon Robinson, Kawana LaShae Sims, Donald Lynn Moore, Duford Lee Mitchell, James George Motter Pretrial Conference set for 9/7/2004 09:00 AM in Ctrm 208 (Sherman) before Judge Richard A. Schell. Signed by Judge Don D. Bush on 07/20/2004. (dlp,) (Entered: 07/30/2004)
07/20/2004	107	WAIVER of Detention Hearing by Tyrone Dremain Brown (dlp,) (Entered: 07/30/2004)
07/20/2004	171	CJA 20 as to Tyrone Dremain Brown: Appointment of Attorney Donald Lee Bailey for Tyrone Dremain Brown. Signed by Judge Don D. Bush on 07/20/2004. (dlp,) (Entered: 08/11/2004)
07/20/2004	331	CJA 20 as to Tyrone Dremain Brown: Appointment of Attorney Donald Lee Bailey for Tyrone Dremain Brown. Signed by Judge Don D. Bush on 7/20/2004. (dlp,) (Entered: 09/15/2004)
08/11/2004	200	NOTICE OF HEARING as to Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Rafael Dontae Robinson, Kay Letha Smith, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Larry Boyd Mallory, Kenneth Wayne Mallory, Cornelius LaMont Sims, Tommy Ray Johnson, Tyrone Dremain Brown, Kimberly Ranell Bills, Danny Ray Moten, Dontae Romain Brown, Kolleen Leshalle Norris, Brandon Eugene Cary, Christopher LaVon Lewis, Brandon Javon Robinson, Thomas Ray Moten, Kawana LaShae Sims, Donald Lynn Moore, Kenny Lavar Mason, Duford Lee Mitchell, James George Motter: Pretrial hearing & trial scheduling set for 9/7/2004 at 09:00 AM in Ctrm A01 (Sherman) before Judge Richard A. Schell. (pad,) (Entered: 08/12/2004)
08/20/2004	211	MOTION to Continue Pretrial Deadlines and Final Pre-Trial Schedulingby USA as to Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Cornelius LaMont Sims, Kedrian Dewayne Davis, Tommy

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		Ray Johnson, Tyrone Dremain Brown, Curtis Jermain Brown, III, Dontae Romain Brown, Brandon Eugene Cary, Brandon Javon Robinson, Kawana LaShae Sims, Kenny Lavar Mason, Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Kay Letha Smith, Sealed #19, Earl Williams Jr., Ocie Burnell McCuin Jr, Joseph Williams Jr., Larry Boyd Mallory, Kenneth Wayne Mallory, Kimberly Ranell Bills, Danny Ray Moten, Kolleen Leshalle Norris, Christopher LaVon Lewis, Thomas Ray Moten, Donald Lynn Moore, Duford Lee Mitchell, James George Motter. (ttm,) Additional attachment(s) added on 8/22/2005 (pad,). Modified on 8/22/2005 (pad,). (Entered: 08/20/2004)
08/20/2004	288	NOTICE OF PLEA AGREEMENT as to Tyrone Dremain Brown. (tls,) (Entered: 09/03/2004)
08/20/2004	289	ELEMENTS of the Offense by USA as to Tyrone Dremain Brown (tls,) (Entered: 09/03/2004)
08/30/2004	239	ORDER granting 211 Motion to Continue as to Rafael Dontae Robinson (1), Shannon Nettleton Hughes (3), Marquis D'Andrea Duty (4), Cornelius LaMont Sims (5), Kedrian Dewayne Davis (6), Tommy Ray Johnson (7), Tyrone Dremain Brown (8), Curtis Jermain Brown III (9), Dontae Romain Brown (10), Kawana LaShae Sims (13), Kenny Lavar Mason (14), Nakia Quadis Tolbert (16), Kay Letha Smith (18), Corie DeWan Brigham (19), Earl Williams Jr. (20), Ocie Burnell McCuin Jr (21), Joseph Williams Jr. (22), Larry Boyd Mallory (23), Kenneth Wayne Mallory (24), Kimberly Ranell Bills (25), Kolleen Leshalle Norris (27), Christopher LaVon Lewis (28), Thomas Ray Moten (29), Donald Lynn Moore (30), Duford Lee Mitchell (31), James George Motter (32); granting in part and denying in part 211 Motion to Continue as to Corwin Dantrell Jeffrey (2), Brandon Eugene Cary (11), Brandon Javon Robinson (12), Taurus DeShaun Council (15), Danny Ray Moten (26); granting 207 Motion to Continue as to Shannon Nettleton Hughes (3); settling 211 Motion to Continue as to Rodrius Ramon Morgan (17); granting 210 Motion to Continue as to Kimberly Ranell Bills (25); granting 208 Motion to Continue as to Duford Lee Mitchell (31). Signed by Judge Richard A. Schell on 8/30/04. (sjs,)cc:attys,USM,USPO Modified on 8/22/2005 (pad,). (Entered: 08/31/2004)
08/31/2004		Terminate Deadlines and Hearings as to Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Cornelius LaMont Sims, Kedrian Dewayne Davis, Tommy Ray Johnson, Tyrone Dremain Brown, Sealed #9, Dontae Romain Brown, Brandon Eugene Cary, Brandon Javon Robinson, Kawana LaShae Sims, Kenny Lavar Mason, Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Kay Letha Smith, Sealed #19, Earl Williams Jr., Ocie Burnell McCuin Jr, Joseph Williams Jr., Larry Boyd Mallory, Kenneth Wayne Mallory, Kimberly Ranell Bills, Danny Ray Moten, Kolleen Leshalle Norris, Christopher LaVon Lewis, Thomas Ray Moten, Donald Lynn Moore, Duford Lee Mitchell, James George Motter : (sjs,) (Entered: 08/31/2004)
08/31/2004		Set/Reset Deadlines/Hearings as to Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Cornelius LaMont Sims, Kedrian Dewayne Davis, Tommy Ray Johnson, Tyrone Dremain Brown, Sealed #9, Dontae Romain Brown, Brandon Eugene Cary, Brandon Javon Robinson, Kawana LaShae Sims, Kenny Lavar Mason, Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Kay Letha Smith, Sealed #19, Earl Williams Jr., Ocie Burnell McCuin Jr, Joseph Williams Jr., Larry Boyd Mallory, Kenneth Wayne Mallory, Kimberly Ranell Bills, Danny Ray Moten, Kolleen Leshalle Norris, Christopher

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		LaVon Lewis, Thomas Ray Moten, Donald Lynn Moore, Duford Lee Mitchell, James George Motter : Plea Agreement due by 10/4/2004. Docket Call set for 10/4/2004 09:00 AM in Ctrm A01 (Sherman) before Judge Richard A. Schell. Pretrial Conference set for 10/4/2004 09:00 AM in Ctrm A01 (Sherman) before Judge Richard A. Schell. (sjs,) (Entered: 08/31/2004)
09/03/2004	293	NOTICE OF HEARING as to Tyrone Dremain Brown, Ocie Burnell McCuin Jr Change of Plea Hearing set for 9/14/2004 01:30 PM in Ctrm A01 (Sherman) before Magistrate Judge Don D. Bush. (tls,) (Entered: 09/03/2004)
09/14/2004	314	NOTICE OF HEARING as to Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Ocie Burnell McCuin Jr, Joseph Williams Jr., Larry Boyd Mallory, Kenneth Wayne Mallory, Cornelius LaMont Sims, Kedrian Dewayne Davis, Tommy Ray Johnson, Tyrone Dremain Brown, Kimberly Ranell Bills, Danny Ray Moten, Dontae Romain Brown, Kolleen Leshalle Norris, Christopher LaVon Lewis, Brandon Javon Robinson, Thomas Ray Moten, Kawana LaShae Sims, Donald Lynn Moore, Duford Lee Mitchell, James George Motter: Pretrial hearing & trial scheduling set for 10/4/2004 at 09:00 AM in Ctrm A01 (Sherman) before Judge Richard A. Schell. (pad,) (Entered: 09/15/2004)
09/14/2004	338	Minute Entry for proceedings held before Judge Don D. Bush:Change of Plea Hearing as to Tyrone Dremain Brown held on 9/14/2004, Plea entered by Tyrone Dremain Brown (8) Guilty Count 1. Consent to plea before U.S. Magistrate Judge entered as Exhibit 1. Plea Agreement received in evidence as Exhibit 2. Factual Resume received as Exhibit 3. The Court finds plea voluntary, knowledgeable and that it has a basis in fact. Court recommends Plea Agreement be accepted. Plea Agreement filed. Sentencing deferred for pre-sentence investigation. Defendant remanded to custody of USM. (Court Reporter Ecro: D. Patterson.) (dlp,) (Entered: 09/17/2004)
09/14/2004	339	CONSENT to Administration of Guilty Plea and Fed.R.Crim.P.11 Allocation by U.S. Magistrate Judge by Tyrone Dremain Brown - Court Exhibit 1 (dlp,) (Entered: 09/17/2004)
09/14/2004	340	PLEA AGREEMENT as to Tyrone Dremain Brown - Court Exhibit 2 (dlp,) (Entered: 09/17/2004)
09/14/2004	341	Factual Resume by USA as to Tyrone Dremain Brown - Court Exhibit 3. (dlp,) (Entered: 09/17/2004)
09/15/2004	354	FINDINGS OF FACT AND RECOMMENDATION ON GUILTY PLEA BEFORE THE UNITED STATES MAGISTRATE JUDGE as to Tyrone Dremain Brown . Signed by Judge Don D. Bush on 9/15/2004. (dlp,) (Entered: 09/21/2004)
09/24/2004	363	MOTION to Continue by USA as to Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Cornelius LaMont Sims, Kedrian Dewayne Davis, Tommy Ray Johnson, Tyrone Dremain Brown, Curtis Jermain Brown III, Dontae Romain Brown, Brandon Eugene Cary, Brandon Javon Robinson, Kawana LaShae Sims, Kenny Lavar Mason, Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Kay Letha Smith, Corie DeWan Brigham, Earl Williams Jr., Ocie Burnell McCuin Jr, Joseph Williams Jr., Larry Boyd Mallory, Kenneth Wayne Mallory, Kimberly Ranell Bills, Danny Ray Moten, Kolleen Leshalle Norris, Christopher LaVon Lewis, Thomas Ray Moten, Donald Lynn Moore, Duford Lee Mitchell, James George Motter. (Attachments:

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		# 1 Text of Proposed Order)(Batson, Tracey) Modified on 8/22/2005 (pad,). (Entered: 09/24/2004)
09/24/2004	368	ORDER ADOPTING REPORT AND RECOMMENDATIONS as to Tyrone Dremain Brown and finding Dft guilty on count one of the indictment . Signed by Judge Richard A. Schell on 9/23/04. cc:attys on 9/27/04 (ttm,) (Entered: 09/27/2004)
09/29/2004		Terminate Deadlines and Hearings as to Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Cornelius LaMont Sims, Kedrian Dewayne Davis, Tommy Ray Johnson, Tyrone Dremain Brown, Sealed #9, Dontae Romain Brown, Brandon Eugene Cary, Brandon Javon Robinson, Kawana LaShae Sims, Kenny Lavar Mason, Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Kay Letha Smith, Sealed #19, Earl Williams Jr., Ocie Burnell McCuin Jr, Joseph Williams Jr., Larry Boyd Mallory, Kenneth Wayne Mallory, Kimberly Ranell Bills, Danny Ray Moten, Kolleen Leshalle Norris, Christopher LaVon Lewis, Thomas Ray Moten, Donald Lynn Moore, Duford Lee Mitchell, James George Motter : (sjs,) (Entered: 09/29/2004)
10/04/2004	377	MOTION to Unseal Case by USA as to Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Cornelius LaMont Sims, Kedrian Dewayne Davis, Tommy Ray Johnson, Tyrone Dremain Brown, Curtis Jermain Brown III, Dontae Romain Brown, Brandon Eugene Cary, Brandon Javon Robinson, Kawana LaShae Sims, Kenny Lavar Mason, Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Kay Letha Smith, Corie DeWan Brigham, Earl Williams Jr., Ocie Burnell McCuin Jr, Joseph Williams Jr., Larry Boyd Mallory, Kenneth Wayne Mallory, Kimberly Ranell Bills, Danny Ray Moten, Kolleen Leshalle Norris, Christopher LaVon Lewis, Thomas Ray Moten, Donald Lynn Moore, Duford Lee Mitchell, James George Motter. (dlp,) Modified on 8/22/2005 (pad,). (Entered: 10/06/2004)
10/04/2004	413	ORDER granting 377 Motion to Unseal Case as to Rafael Dontae Robinson (1), Corwin Dantrell Jeffrey (2), Shannon Nettleton Hughes (3), Marquis D'Andrea Duty (4), Cornelius LaMont Sims (5), Kedrian Dewayne Davis (6), Tommy Ray Johnson (7), Tyrone Dremain Brown (8), Curtis Jermain Brown III (9), Dontae Romain Brown (10), Brandon Eugene Cary (11), Brandon Javon Robinson (12), Kawana LaShae Sims (13), Kenny Lavar Mason (14), Taurus DeShaun Council (15), Nakia Quadis Tolbert (16), Rodrius Ramon Morgan (17), Kay Letha Smith (18), Sealed #19 (19), Earl Williams Jr. (20), Ocie Burnell McCuin Jr (21), Joseph Williams Jr. (22), Larry Boyd Mallory (23), Kenneth Wayne Mallory (24), Kimberly Ranell Bills (25), Danny Ray Moten (26), Kolleen Leshalle Norris (27), Christopher LaVon Lewis (28), Thomas Ray Moten (29), Donald Lynn Moore (30), Duford Lee Mitchell (31), James George Motter (32). Signed by Judge Don D. Bush on 10/6/2004. (dlp,) (Entered: 10/06/2004)
10/22/2004	451	OBJECTION TO PRESENTENCE INVESTIGATION REPORT by Tyrone Dremain Brown (sjs,) (Entered: 10/25/2004)
11/23/2004	527	MOTION to Continue by USA as to Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Cornelius LaMont Sims, Kedrian Dewayne Davis, Tommy Ray Johnson, Tyrone Dremain Brown, Curtis Jermain Brown III, Dontae Romain Brown, Brandon Eugene Cary, Brandon Javon Robinson, Kawana LaShae Sims, Kenny Lavar Mason, Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Kay Letha Smith, Sealed #19, Earl

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		Williams Jr., Ocie Burnell McCuin Jr, Joseph Williams Jr., Larry Boyd Mallory, Kenneth Wayne Mallory, Kimberly Ranell Bills, Danny Ray Moten, Kolleen Leshalle Norris, Christopher LaVon Lewis, Thomas Ray Moten, Donald Lynn Moore, Duford Lee Mitchell, James George Motter. (Batson, Tracey) (Entered: 11/23/2004)
11/24/2004	534	ELEMENTS of the Offense <i>elements refiled re: Curtis Brown</i> by USA as to Tyrone Dremain Brown (Batson, Tracey) (Entered: 11/24/2004)
11/29/2004		***FILED IN ERROR. Document # 532 and 534, Elements of the Offense. PLEASE IGNORE.*** REPLACED BY DOCUMENT #534(ttm,) (Entered: 11/29/2004)
12/27/2004	564	NOTICE OF HEARING as to Tyrone Dremain Brown. Sentencing set for 1/5/2005 10:00 AM in Ctrm A01 (Sherman) before Judge Richard A. Schell. (dlp,) (Entered: 12/27/2004)
01/05/2005	576	Minute Entry for proceedings held before Judge Richard A. Schell:Sentencing held on 1/5/2005 for Tyrone Dremain Brown (8), Count(s) 1, 151 months imprisonment, fine waived, 5 years supervised release, \$100.00 special assessment. (Court Reporter Jerry Kelley.) (dlp,) (Entered: 01/05/2005)
01/06/2005	582	JUDGMENT as to Tyrone Dremain Brown (8), Count(s) 1, 151 months imprisonment, fine waived, 5 years supervised release, \$100.00 special assessment . Signed by Judge Richard A. Schell on 1/6/2005. (dlp,) (Entered: 01/07/2005)
01/06/2005	680	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Tyrone Dremain Brown (dlp,) (Entered: 02/02/2005)
01/12/2005	605	NOTICE OF APPEAL as to 582 Judgment. (pad,) (Entered: 01/14/2005)
01/12/2005		Transmission of Notice of Appeal and Docket Sheet as to Tyrone Dremain Brown to US Court of Appeals re 605 Notice of Appeal (pad,) (Entered: 01/14/2005)
01/27/2005		CJA 20 as to Tyrone Dremain Brown: Authorization to Pay Donald Bailey. Amount: \$ \$3390.00. Forwarded to Tyler for processing . Signed by Judge Richard A. Schell on 1/24/2005. (dlp,) (Entered: 01/28/2005)
02/09/2005		USCA Case Number as to Tyrone Dremain Brown 05-40077 for 605 Notice of Appeal filed by Tyrone Dremain Brown,. (pad,) (Entered: 02/09/2005)
02/11/2005	760	CJA 20 as to Tyrone Dremain Brown: Authorization to Pay Donald Bailey. Amount: \$ 3,390.00, Voucher # 050211000041. . Signed by Judge Richard A. Schell on 1/24/2005. (mpt,) (Entered: 02/23/2005)
02/17/2005	736	TRANSCRIPT of Sentencing as to Tyrone Dremain Brown held on 1/5/2005 before Judge Schell. Court Reporter: Jerry Kelley. (pad,) (Entered: 02/18/2005)
02/18/2005		Certified and Transmitted Record on Appeal as to Tyrone Dremain Brown to US Court of Appeals re 605 Notice of Appeal (pad,) (Entered: 02/18/2005)
02/24/2005	1141	SEALED CJA24 as to Tyrone Dremain Brown: Authorization to Pay Jerry Kelley \$52.80 for Transcript, Voucher #050224000012. Signed by Judge Richard A. Schell on 02/13/05.(bsp) (Entered: 02/09/2006)
10/04/2005	1095	TRANSCRIPT REQUEST by Tyrone Dremain Brown for proceedings held on 9/14/2004 before Judge Schell, re 605 Notice of Appeal (pad,) (Entered: 10/04/2005)

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10/06/2005	1098	ORDER of USCA (certified copy) as to Tyrone Dremain Brown re 605 Notice of Appeal. Counsel's motion to withdraw is DENIED W/OUT PREJ. Cnsl is ORDERED to supplement record w/the transcript of the arraignment proceedings. (pad,) (Entered: 10/06/2005)
11/04/2005	1109	TRANSCRIPT of Plea Hearing as to Tyrone Dremain Brown, Brandon Javon Robinson held on 9/14/2004 before Judge Bush. Court Reporter: Jerry Kelley. (pad,) (Entered: 11/07/2005)
11/08/2005		Transmitted Supplemental Record on Appeal as to Tyrone Dremain Brown re 605 Notice of Appeal (transcript of plea hearing) (pad,) (Entered: 11/08/2005)
11/08/2005	1137	SEALED CJA24 as to Tyrone Dremain Brown: Authorization to Pay Jerry Kelley \$112.20 for Transcript, Voucher # 051108000007. Signed by Judge Richard A. Schell on 11/04/05.(bsp) (Entered: 02/06/2006)
07/31/2006		MOTION to Vacate under 28 U.S.C. 2255 (Civil Action 4:06cv313.) by Tyrone Dremain Brown. (lhj,) (Entered: 07/31/2006)
07/31/2006		ORDER as to Tyrone Dremain Brown re MOTION to Vacate under 28 U.S.C. 2255 (Civil Action 4:06cv313.) filed by Tyrone Dremain Brown, is referred to Magistrate Judge Don Bush . Signed by Judge Richard A. Schell on 07/31/06. (lhj,) (Entered: 07/31/2006)
01/12/2007	1213	ORDER of USCA (certified copy) as to Tyrone Dremain Brown re 605 Notice of Appeal. Ordered that the appellee's motion to dismiss the appeal is granted. (pad,) (Entered: 01/16/2007)
01/19/2007		Appeal Record Returned as to Tyrone Dremain Brown: 605 Notice of Appeal (pad,) (Entered: 01/22/2007)
01/19/2007	1214	MANDATE of USCA (certified copy) as to Tyrone Dremain Brown re 605 Notice of Appeal (pad,) (Entered: 01/22/2007)
01/24/2007	1218	E-GOV SEALED Arrest Warrant Returned Executed on 7/20/2004. in case as to Tyrone Dremain Brown. (pad,) (Entered: 01/24/2007)
12/26/2007		MOTION to Vacate under 28 U.S.C. 2255 (Civil Action 4:07cv580.) by Tyrone Dremain Brown. (lhj,) (Entered: 12/27/2007)
01/02/2008		SPECIAL ASSESSMENT PAID in full on 01/02/08 by Tyrone Dremain Brown. Receipt #via BOP. (bsp) (Entered: 01/23/2008)
05/09/2008	1312	MOTION to Appoint Counsel by Tyrone Dremain Brown. (Black, George) (Entered: 05/09/2008)
05/14/2008	1316	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Tyrone Dremain Brown with respect to a motion for sentence reduction. Signed by Judge Don D. Bush on 5/14/2008. (pad,) (Entered: 05/14/2008)
07/30/2008	1345	MOTION for Retroactive Application of Sentencing Guidelines to Crack Cocaine Offense 18 USC 3582 by Tyrone Dremain Brown. (Attachments: # 1 Text of Proposed Order)(Benson, Denise) (Entered: 07/30/2008)
08/23/2008	1347	RESPONSE to Motion by USA as to Tyrone Dremain Brown re 1345 MOTION for Retroactive Application of Sentencing Guidelines to Crack Cocaine Offense 18 USC 3582 (Attachments:

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		# 1 Text of Proposed Order)(Klintworth, Kerry) (Entered: 08/23/2008)
10/21/2008	1361	ORDER granting 1345 Motion to Reduce Sentence re Crack Cocaine Offense - 18:3582 as to Tyrone Dremain Brown (8)and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months is reduced to 121 months. Signed by Judge Richard A. Schell on 10/21/08. (fnt,) (Entered: 10/21/2008)
02/03/2009	1383	MOTION for jail time credit by Tyrone Dremain Brown. (Attachments: # 1 Envelope)(fnt,) (Entered: 02/03/2009)
09/19/2011	1468	MOTION to Appoint Counsel by Tyrone Dremain Brown. (Attachments: # 1 Text of Proposed Order)(Black, George) (Entered: 09/19/2011)
09/21/2011	1476	ORDER granting 1468 Motion to Appoint Counsel as to Tyrone Dremain Brown (8). The Federal Public Defender is appointed as counsel for Defendant. Signed by Magistrate Judge Don D. Bush on 9/21/11. (fnt,) (Entered: 09/21/2011)
11/14/2011	1507	MOTION for Retroactive Application of Sentencing Guidelines to Crack Cocaine Offense 18 USC 3582 by Tyrone Dremain Brown. (Attachments: # 1 Text of Proposed Order)(Benson, Denise) (Entered: 11/14/2011)
12/12/2011	1523	RESPONSE to Motion by USA as to Tyrone Dremain Brown re 1507 MOTION for Retroactive Application of Sentencing Guidelines to Crack Cocaine Offense 18 USC 3582 (Attachments: # 1 Text of Proposed Order)(Jackson, Alan) (Entered: 12/12/2011)
02/08/2012	1528	ORDER REDUCING SENTENCE RE CRACK COCAINE OFFENSE 18 USC 3582 for Tyrone Dremain Brown (8), Count(s) 1, 120 months imprisonment. Signed by Judge Richard A. Schell on 2/7/12. (fnt,) (Additional attachment(s) added on 2/8/2012: # 1 Sealed page 2) (fnt,). (Entered: 02/08/2012)
03/14/2016		Case as to Rafael Dontae Robinson, Corwin Dantrell Jeffrey, Shannon Nettleton Hughes, Marquis D'Andrea Duty, Cornelius LaMont Sims, Kedrian Dewayne Davis, Tommy Ray Johnson, Tyrone Dremain Brown, Curtis Jermain Brown, III, Dontae Romain Brown, Brandon Eugene Cary, Brandon Javon Robinson, Kawana LaShae Sims, Kenny Lavar Mason, Taurus DeShaun Council, Nakia Quadis Tolbert, Rodrius Ramon Morgan, Kay Letha Smith, Corie Brigham, Earl Williams, Jr, Joseph Williams, Jr, Larry Boyd Mallory, Kenneth Wayne Mallory, Kimberly Ranell Bills, Danny Ray Moten, Kolleen Leshalle Norris, Christopher LaVon Lewis, Thomas Ray Moten, Donald Lynn Moore, Duford Lee Mitchell, James George Motter, Keyon LaKeith Mitchell Reassigned to Judge Marcia A. Crone. Judge Richard A. Schell no longer assigned to the case. (pad,) (Entered: 03/14/2016)

PACER Service Center			
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12/15/2016 15:55:32			
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Description:	Docket Report	Search Criteria:	4:04-cr-00106-MAC-DDB

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Billable Pages:	8	Cost:	0.80
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SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

vs.

Criminal No. 4:04cr 106
Judge Schell

RAFAEL DONTAE ROBINSON (01)
CORWIN DANTRELL JEFFREY(02)
SHANNON NETTLETON HUGHES(03)
MARQUIS D'ANDREA DUTY (04)
CORNELIUS LaMONT SIMS (05)
KEDRIAN DeWAYNE DAVIS (06)
TOMMY RAY JOHNSON (07)
TYRONE DREMAIN BROWN(08)
a.k.a. TYRONE DREMAIN JIMERSON
CURTIS JERMAIN BROWN III (09)
DONTAE ROMAIN BROWN (10)
a.k.a. DONTAE ROMAIN JIMERSON
BRANDON EUGENE CARY (11)
BRANDON JAVON ROBINSON (12)
KAWANA LaSHAE SIMS (13)
KENNY LaVAR MASON (14)
TAURUS DeSHAUN COUNCIL (15)
NAKIA QUADIS TOLBERT (16)
RODRIUS RAMON MORGAN (17)
KAY LETHA SMITH (18)
CORIE DeWAN BRIGHAM (19)
EARL WILLIAMS, JR.(20)
OCIE BURNELL McCUIN, JR.(21)
JOSEPH WILLIAMS, JR.(22)
LARRY BOYD MALLORY(23)
KENNETH WAYNE MALLORY(24)
KIMBERLY RANELL BILLS(25)
DANNY RAY MOTEN(26)
KOLLEEN LeSHALLE NORRIS(27)
CHRISTOPHER LaVON LEWIS(28)
THOMAS RAY MOTEN(29)
DONALD LYNN MOORE(30)
DUFORD LEE MITCHELL(31)
JAMES GEORGE MOTTER(32)

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT 1

Violation: 21 U.S.C. § 846
(Conspiracy to possess with intent to
distribute cocaine base(crack cocaine)
18 U.S.C. § 2 (Aiding and Abetting)

That from on or about June 2000, the exact date being unknown to the Grand Jury, and continuing thereafter up to and including the date of the filing of this Indictment, in the Eastern District of Texas and elsewhere, RAFAEL DONTAE ROBINSON, CORWIN DANTRELL JEFFREY, SHANNON NETTLETON HUGHES, MARQUIS D'ANDREA DUTY, CORNELIUS LaMONT SIMS, KEDRIAN DeWAYNE DAVIS, TOMMY RAY JOHNSON, TYRONE DREMAIN BROWN, a.k.a. TYRONE DREMAIN JIMERSON, CURTIS JERMAIN BROWN III, DONTAE ROMAIN BROWN, a.k.a. DOBNTAE ROMAIN JIMERSON, BRANDON EUGENE CARY, BRANDON JAVON ROBINSON, KAWANA LaSHAE SIMS, KENNY LaVAR MASON, TAURUS DeSHAUN COUNCIL, NAKIA QUADIS TOLBERT, RODRIUS RAMON MORGAN, KAY LETHA SMITH, CORIE DeWAN BRIGHAM, EARL WILLIAMS, JR., OCIE BURNELL McCUIN, JR., JOSEPH WILLIAMS, JR., LARRY BOYD MALLORY, KENNETH WAYNE MALLORY, KIMBERLY RANELL BILLS, DANNY RAY MOTEN, KOLLEEN LeSHALLE NORRIS, CHRISTOPHER LaVON LEWIS, THOMAS RAY MOTEN, DONALD LYNN MOORE, DUFORD LEE MITCHELL, and JAMES GEORGE MOTTER, defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree together, with each other, and with other persons known and unknown to the Grand Jury to possess with intent to distribute 50 grams or more of a cocaine mixture or substance

containing a detectable amount of cocaine base, namely, crack cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

OVERT ACTS

In furtherance of this conspiracy and to effect and accomplish the objects of it, the following overt acts, among others, were committed by one or more members of the conspiracy, in the Eastern District of Texas, and elsewhere:

1. In early 2004, RAFAEL DONTAE ROBINSON and SHANNON NETTLETON HUGHES leased a residence at 1312 E. Price, Paris, Texas for the purpose of trafficking crack cocaine which was sold by MARQUIS D'ANDREA DUTY.
2. On or about April 7, 2004, CORWIN DANTRELL JEFFREY supplied KEDRIAN DeWAYNE DAVIS with more than 50 grams of crack cocaine for distribution.
3. On or about March 18, 2004, CORNELIUS LaMONT SIMS sold crack cocaine to a confidential informant.
4. On or about May 30, 2003, TOMMY RAY JOHNSON while at his residence possessed crack cocaine.
5. On November 19, 2003, TOMMY RAY JOHNSON, CORNELIUS LaMONT SIMS, CURTIS JERMAIN BROWN III sold crack cocaine to a confidential informant.
6. On or about March 19, 2004, TYRONE DREMAIN BROWN, a.k.a. TYRONE DREMAIN JIMERSON and DONTAE ROMAIN BROWN, a.k.a. DONTAE ROMAIN JIMERSON sold crack cocaine to a confidential informant.
7. On June 14, 2004, BRANDON EUGENE CARY sold crack cocaine to a confidential informant. which was supplied to him by CORWIN DANTRELL JEFFREY.

8. On or about May 31, 2002, BRANDON JAVON ROBINSON sold approximately 21 grams of crack to a confidential informant.
9. On or about November 3, 2003, KAWANA LaSHAE SIMS and TOMMY RAY JOHNSON sold crack cocaine to a confidential informant.
10. On or about March 17, 2004, KENNY LaVAR MASON and TAURUS DeSHAUN COUNCIL sold crack cocaine to a confidential informant.
11. On or about March 19, 2004, NAKIA QUADIS TOLBERT sold crack cocaine to a confidential informant.
12. On or about June 3, 2004, RODRIUS RAMON MORGAN sold crack cocaine to a confidential informant.
13. On or about November 3, 2003, KAY LETHA SMITH sold crack cocaine to a confidential informant and an undercover officer.
14. On or about March 17, 2004, CORIE DeWAN BRIGHAM sold crack cocaine to a confidential informant.
15. On or about April 22, 2003, EARL WILLIAMS, JR. possessed crack cocaine with intent to distribute.
16. On or about June 2004, OCIE BURNELL McCUIN, JR. introduced BRANDON EUGENE CARY and CORWIN DANTRELL JEFFREY for the purpose of trafficking crack cocaine.
17. On or about April 18, 2004, JOSEPH WILLIAMS, JR. possessed crack cocaine with intent to distribute.
18. On or about May 25, 2004, LARRY BOYD MALLORY sold crack cocaine to a confidential informant.

19. On or about March 16, 2004, KENNETH WAYNE MALLORY sold crack cocaine to a confidential informant.

20. On or about April 13, 2004, while at their residence, RAFAEL DONTAE ROBINSON and KIMBERLY RANELL BILLS possessed crack cocaine.

21. On or about March 19, 2004, DANNY RAY MOTEN sold crack cocaine to a confidential informant.

22. On or about June 24, 2004, KOLLEEN LeSHALLE NORRIS sold crack cocaine to a confidential informant.

23. On or about March 19, 2004, CHRISTOPHER LaVON LEWIS sold crack cocaine to a confidential informant.

24. On or about June 11, 2004, THOMAS RAY MOTEN possessed with intent to distribute crack cocaine.

25. On or about May 4, 2004, DONALD LYNN MOORE sold crack cocaine to a confidential informant and an undercover officer.

26. On or about May 12, 2004, DUFORD LEE MITCHELL and JAMES GEORGE MOTTER sold crack cocaine to an undercover officer.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

Violation: 18 U.S.C. § 922(g)(1)
(Felon in possession of a firearm)

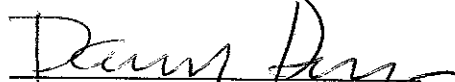
On or about December 2, 2003, in the Eastern District of Texas, TOMMY RAY JOHNSON, did knowingly possess in and affecting interstate commerce a firearm, namely, a Taurus, Model PT 92 AF, 9 mm semi-automatic pistol, Serial Number THK53550, and Defendant had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT THREE

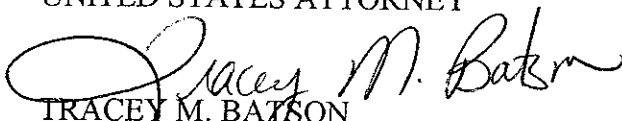
Violation: 18 U.S.C. § 922(g)(1)
(Felon in possession of ammunition)

On or about June 24, 2004, in the Eastern District of Texas, KOLLEEN LeSHALLE NORRIS, did knowingly possess in and affecting interstate commerce ammunition, namely 84 rounds of Winchester, Super X, High Velocity .22 caliber ammunition, and Defendant had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1).

A TRUE BILL


GRAND JURY FOREPERSON

MATTHEW D. ORWIG
UNITED STATES ATTORNEY


TRACEY M. BATSON
ASSISTANT U. S. ATTORNEY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	Criminal No. 4:04cr _____
	§	Judge Schell
RAFAEL DONTAE ROBINSON (01)	§	
CORWIN DANTRELL JEFFREY(02)	§	
SHANNON NETTLETON HUGHES(03)	§	
MARQUIS D'ANDREA DUTY (04)	§	
CORNELIUS LaMONT SIMS (05)	§	
KEDRIAN DeWAYNE DAVIS (06)	§	
TOMMY RAY JOHNSON (07)	§	
TYRONE DREMAIN BROWN(08)	§	
a.k.a. TYRONE DREMAIN JIMERSON	§	
CURTIS JERMAIN BROWN III (09)	§	
DONTAE ROMAIN BROWN (10)	§	
a.k.a. DONTAE ROMAIN JIMERSON	§	
BRANDON EUGENE CARY (11)	§	
BRANDON JAVON ROBINSON (12)	§	
KAWANA LaSHAE SIMS (13)	§	
KENNY LaVAR MASON (14)	§	
TAURUS DeSHAUN COUNCIL (15)	§	
NAKIA QUADIS TOLBERT (16)	§	
RODRIUS RAMON MORGAN (17)	§	
KAY LETHA SMITH (18)	§	
CORIE DeWAN BRIGHAM (19)	§	
EARL WILLIAMS, JR.(20)	§	
OCIE BURNELL McCUIN, JR.(21)	§	
JOSEPH WILLIAMS, JR.(22)	§	
LARRY BOYD MALLORY(23)	§	
KENNETH WAYNE MALLORY(24)	§	
KIMBERLY RANELL BILLS(25)	§	
DANNY RAY MOTEN(26)	§	
KOLLEEN LeSHALLE NORRIS(27)	§	
CHRISTOPHER LaVON LEWIS(28)	§	
THOMAS RAY MOTEN(29)	§	
DONALD LYNN MOORE(30)	§	
DUFORD LEE MITCHELL(31)	§	
JAMES GEORGE MOTTER(32)	§	

NOTICE OF PENALTY

COUNT 1

Violation: 21 U.S.C. § 846

Penalty: Imprisonment for not less than ten (ten) years or more than life, a fine not to exceed \$4,000,000, or both. A term of supervised release of at least five (5) years;

Special Assessment: \$100.00

COUNT 2

Violation: 18 U.S.C. § 922(g)(1)

Penalty: Imprisonment for not more than 10 years, a fine not to exceed \$250,000, or both. A term of supervised release of not more than three (3) years.

Special Assessment: \$100.00

COUNT 3

Violation: 18 U.S.C. § 922(g)(1)

Penalty: Imprisonment for not more than 10 years, a fine not to exceed \$250,000, or both. A term of supervised release of not more than three (3) years.

Special Assessment: \$100.00

United States District Court

EASTERN DISTRICT OF TEXAS

Sherman

DAVID J. MALAND, CLERK

BY

DEPUTY

UNITED STATES OF AMERICA

vs.

TYRONE DREMAIN BROWN

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

CASE NUMBER: 4:04CR00106-008

Donald Bailey

Defendant's Attorney

THE DEFENDANT:

X pleaded guilty to count(s): 1 of the Indictment

pleaded nolo contendere to count(s)

which was accepted by the court.

was found guilty on count(s)

after a plea of not guilty.

ACCORDINGLY, the Court has adjudicated that the defendant is guilty of the following offense(s)

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 U.S.C. 846	Conspiracy to Possess with Intent to Distribute Cocaine Base (Crack Cocaine)	03/22/2004	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s):

Count(s) dismissed on motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court or United States Attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Judgment: 01/05/2005

Richard A. Schell
Signature of Judicial Officer

RICHARD A. SCHELL

UNITED STATES DISTRICT JUDGE

Name and Title of Judicial Officer

1-6-05
Date

Defendant: **TYRONE DREMAIN BROWN**
Case No: **4:04CR00106-008** **IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 151 months

- ☒ The court makes the following recommendations to the Bureau of Prisons:
The court recommends that defendant be designated to a facility near Dallas, Texas, if eligible.
The court recommends that defendant be evaluated for substance abuse and provided treatment.

- ☒ The defendant is remanded to the custody of the United States Marshal.
The defendant shall surrender to the United States Marshal for this district.
at _____ on _____ .
as notified by the United States Marshal.
The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.
before 2 p.m. on _____ .
as notified by the United States Marshal.
as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____ with a certified copy of this judgment.

United States Marshal

By: Deputy U.S. Marshal

Defendant: **TYRONE DREMAIN BROWN**Judgment - Page 3 of 6Case No: **4:04CR00106-008****SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance.

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)

☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

The defendant shall register with the state sex offender registration agency in any state where the defendant resides, is employed, carries on a vacation, or is a student, as directed by the probation officer. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the following standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional terms on the attached page.

See additional terms on next page(s)...

STANDARD CONDITIONS OF SUPERVISION

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instruction of the probation officer;
- 4) The defendant shall support his or her dependents and meet other family responsibilities;
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) The defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or paraphernalia related to such substances, except as prescribed by a physician;
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or consumed;
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation or any contraband observed in plain view by the probation officer;
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) The defendant shall not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the court; and
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: **TYRONE DREMAIN BROWN**

Case No: **4:04CR00106-008**

Additional Terms of Supervised Release

The defendant shall provide the probation officer with access to any requested financial information for purposes of monitoring the defendant's efforts at obtaining and maintaining gainful employment.

The defendant shall participate in a program of testing and treatment for drug abuse, under the guidance and direction of the U.S. Probation Office, until such time as the defendant is released from the program by the probation officer.

The defendant shall participate in and complete a program to obtain a GED.

Defendant: **TYRONE DREMAIN BROWN**Case No: **4:04CR00106-008** **CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Total Restitution</u>
<u>Totals:</u>	100.00	0.00	0.00

The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case AO 245C will be entered after such determination.

The defendant shall make restitution (including community restitution) to the following victims in the amounts listed below:

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C.

3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>* Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
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<u>Totals:</u>	0.00	0.00
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If applicable, restitution amount ordered pursuant to plea agreement 0.00

The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. 3612(f). All of the payment options on Sheet 6 may be subject to penalties for default and delinquency pursuant to 18 U.S.C. 3612(g).

The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

The interest requirement is waived for the fine and/or restitution

The interest requirement for the fine and/or restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of the Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

Defendant: **TYRONE DREMAIN BROWN**
Case No: **4:04CR00106-008**

Judgment - Page 5 of 6

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total fine and other criminal monetary penalties shall be as follows:

- A ☒ Lump sum payment of at least \$100.00 due immediately, balance due ☐ not later than _____; or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, ☐ E, or ☐ F below); or
- C ☐ Payment in _____ (e.g. equal, weekly, monthly, quarterly) installments of at least \$0.00 over a period of _____ (e.g. months or years) to commence _____ (e.g. 30 or 60 days) after the date of this judgment; or
- D ☐ Payment to begin immediately. Any amount that remains unpaid when the defendant is placed on supervision is to be paid on a monthly basis at the rate of at least 10% of the defendant's monthly gross income, to be changed during supervision if needed, based on the defendant's changed circumstances, pursuant to 18 U.S.C. § 3664(k).
- E ☐ Payment in _____ (e.g. equal, weekly, monthly, quarterly) installments of at least 0.00 over a period of _____ (e.g. months or years) to commence _____ (e.g. 30 or 60 days) after release from imprisonment to a term of supervision; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

All criminal monetary penalty payments are to be made to the U.S. District Court, Fine & Restitution Section, P.O. Box 570, Tyler, TX 75710, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility

The defendant will receive credit for all payments made toward any criminal monetary penalties imposed

☐ Joint and Several

☐ The defendant shall pay the cost of prosecution:

☐ The defendant shall pay the following court costs:

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment; (2) restitution principal; (3) restitution interest; (4) fine principal; (5) community restitution; (6) fine interest; (7) penalties; (8) cost, including cost of prosecution and court costs.

Defendant: **TYRONE DREMAIN BROWN**

Judgment - Page 6 of 6

Case No: **4:04CR00106-008**

DENIAL OF FEDERAL BENEFITS

(For Offenses Committed On or After November 18, 1988)

FOR DRUG TRAFFICKERS PURSUANT TO 21 U.S.C. 862(a)

IT IS ORDERED that the defendant shall be:

X ineligible for all benefits for a period of 5 years.

ineligible for the following benefits for a period of _____.
(specify benefit(s)):

OR

Having determined that this is the defendant's third or subsequent conviction for distribution of controlled substances, IT IS ORDERED that the defendant shall be permanently ineligible for all federal benefits.

FOR DRUG POSSESSORS PURSUANT TO 21 U.S.C. 862(b)

IT IS ORDERED that the defendant shall:

ineligible for all federal benefits for a period of _____.

ineligible for the following benefits for a period of _____.
(specify benefit(s)):

successfully complete a drug testing and treatment program.

perform community service, as specified in the probation and supervised release portion of this judgment.

Having determined that this is the defendant's second or subsequent conviction for possession of a controlled substance, IT IS FURTHER ORDERED that the defendant shall complete any drug treatment program and community service specified in this judgment as a requirement for the reinstatement of eligibility for federal benefits.

Pursuant to 21 U.S.C. 862(d), this denial of federal benefits does not include any retirement, welfare, Social Security, health, disability, veterans benefit, public housing, or other similar benefit, or any other benefit for which payments or services are required for eligibility. The clerk of court is responsible for sending a copy of this page and the first page of this judgment to:

U.S. Department of Justice, Office of Justice Programs, Washington, D.C. 20531

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

VS.

TYRONE DREMAIN BROWN

§
§
§ CRIMINAL ACTION NO. 4:04-CR-106 (8)
§
§ USM No. 11498-078
§ Defendant's Attorney: Denise Benson

Date of Previous Judgment: January 6, 2005
(Use Date of Last Amended Judgment, if Applicable)

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. §3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the Court under 18 U.S.C. §3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. §994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months is **reduced to** 121 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to any Departures)

Previous Offense Level: 31

Amended Offense Level: 29

Criminal History Category: IV

Criminal History Category: IV

Previous Guideline Range: 151 - 188 months

Amended Guideline Range: 121 - 151 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other. (**explain**):

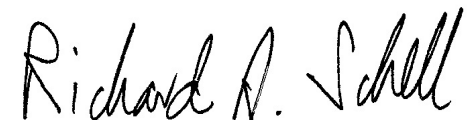
III. ADDITIONAL COMMENTS

If the term of imprisonment is less than the amount of time the defendant has already served, the sentence is reduced to "time served." This Order is subject to the prohibition contained in USSG §1B1.10(b)(2)(C). Moreover, imposition of this Order shall be stayed until ten (10) days after the order date.

Except as provided above, all provisions of the judgment dated January 6, 2005 shall remain in effect.

IT IS SO ORDERED.

SIGNED this the 21st day of October, 2008.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas
Sherman Division

United States of America

v.

TYRONE DREMAIN BROWN

Case No: 4:04CR106(8)USM No: 11498-078Date of Original Judgment: Jan. 6, 2005Date of Previous Amended Judgment: Oct. 21, 2008

(Use Date of Last Amended Judgment if Any)

Denise Benson

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
 PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 121 months is reduced to 120 months.

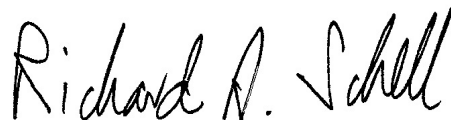
(Complete Parts I and II of Page 2 when motion is granted)

If the term of imprisonment is less than the amount of time the defendant has already served, the sentence is reduced to "time served." This Order is subject to the prohibition contained in U.S.S.G. §1B1.10(b)(2)(C). Moreover, imposition of this Order shall be stayed until ten (10) days after the order date.

Except as otherwise provided, all provisions of the judgment dated October 21, 2008 shall remain in effect.

IT IS SO ORDERED.

SIGNED this the 7th day of February, 2012.



RICHARD A. SCHELL

UNITED STATES DISTRICT JUDGE